

BILL ANALYSIS

C.S.H.B. 195
By: Farias
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, counties and municipalities with populations at or above specified thresholds must post on the Internet the campaign contribution and expenditure reports of current officeholders. Interested parties assert that it would be beneficial to the voters of Texas to require the clerks of populous counties and municipalities to also post the campaign contribution and expenditure reports of all candidates for those offices as well as the reports of specific-purpose committees. C.S.H.B. 195 seeks to provide more information to the voting public by requiring additional reports to be made available on the Internet.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 195 amends the Election Code to require the county clerk of a county with a population of 800,000 or more to make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee regarding political expenditures and contributions in connection with a county office or the office of county commissioner available to the public on the county's Internet website not later than the second business day after the date the report is received. The bill requires the clerk of a municipality with a population of 500,000 or more to make such a report in connection with the office of mayor or member of the municipality's governing body available to the public on the municipality's Internet website not later than the second business day after the report is received.

C.S.H.B. 195 applies only to a report of political contributions and expenditures that is required to be filed on or after January 1, 2014.

C.S.H.B. 195, effective January 1, 2014, repeals a provision of the Local Government Code relating to requiring certain counties or municipalities to provide, under certain conditions, Internet access to each report of political contributions and expenditures filed by a member of the commissioners court or the municipality's governing body as soon as practicable.

C.S.H.B. 195 repeals the following provisions:

- Section 254.0401(b), Election Code
- Section 176.009(b), Local Government Code

EFFECTIVE DATE

Except as otherwise provided, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 195 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. The heading to Section 254.0401, Election Code, is amended.

SECTION 2. Section 254.0401, Election Code, is amended by adding Subsections (a-1) and (c) and amending Subsection (f) to read as follows:

(a-1) The county clerk of a county with a population of 800,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with a county office or the office of county commissioner available to the public on the county's Internet website not later than the second business day after the date the report is filed.

(c) The clerk of a municipality with a population of 500,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with the office of mayor or member of the municipality's governing body available to the public on the municipality's Internet website not later than the second business day after the date the report is filed.

(f) The commission shall clearly state on the Internet website on which reports are provided [~~under Subsection (b)~~] that reports filed by an independent candidate, a third-party candidate, or a specific-purpose committee for supporting or opposing an independent or third-party candidate will not be available if the candidate or committee has not yet filed a report.

SECTION 3. (a) Section 254.0401(b), Election Code, is repealed.

(b) Effective January 1, 2014, Section 176.009(b), Local Government Code, is repealed.

SECTION 4. Section 254.0401, Election

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Section 254.0401, Election Code, is amended by adding Subsections (a-1) and (c) and amending Subsection (f) to read as follows:

(a-1) The county clerk of a county with a population of 800,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with a county office or the office of county commissioner available to the public on the county's Internet website not later than the second business day after the date the report is received.

(c) The clerk of a municipality with a population of 500,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with the office of mayor or member of the municipality's governing body available to the public on the municipality's Internet website not later than the second business day after the date the report is received.

(f) The commission shall clearly state on the Internet website on which reports are provided [~~under Subsection (b)~~] that reports filed by an independent candidate, a third-party candidate, or a specific-purpose committee for supporting or opposing an independent or third-party candidate will not be available if the candidate or committee has not yet filed a report.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

Code, as amended by this Act, and Section 176.009, Local Government Code, as amended by this Act, apply only to a report of political contributions and expenditures that is required to be filed under Chapter 254, Election Code, on or after January 1, 2014.

SECTION 5. Except as otherwise provided by this Act, this Act takes effect September 1, 2013.

SECTION 5. Same as introduced version.